

ATTORNEY CLIENT PRIVILEGED
CITY OF SAUSALITO ENCAMPMENT RELATED TRO FILINGS CHART
Updated April 18, 2022

| | CASE NAME/CAPTION | NAMED DEFENDANTS | Fact Summary/Relief Requested ¹ /Relief Provided | ACTIVITY | HEARINGS/UPCOMING APPEARANCES |
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| 1 | <i>Sausalito/Marin County Chapter of the California Homeless Union et al v. City of Sausalito et al</i> <i>Case No. 3:21-cv-01143-EMC</i> | City of Sausalito Jill James Hoffman Marcia Raines John Rohrbacher Kent Basso | ---- | February 16, 2021: Complaint filed | 4/4/2022: ORDER. For the status conference in Case No. C-21-1143 EMC Sausalito/Marin County Chapter of the California Homeless Union v. City of Sausalito, to be held on 4/19/2022 at 2:30 p.m., the parties should be prepared to discuss how best to coordinate the related cases (currently numbering six) with the "main" case, No. C-21-1143 EMC. Signed by Judge Edward M. Chen on 4/4/2022. (This is a text-only entry generated by the court. There is no document associated with this entry.) (emclc2, COURT STAFF) (Filed on 4/4/2022) CMC July 19, 2022 2:30 pm |
| 2 | <i>Deschamps v. Sausalito</i> US District Court, Northern District of California Case No. 3:22-cv-00928 | City of Sausalito City Manager Chris Zapata Lieutenant Stacey Gregory Janelle Kellman, Mayor Chief Rohrbacher Urban Alchemy | Alleged civil rights violations. Built structure connecting his tent/platform to the fence allegedly for his cats. Requested relief/TRO: 1. Be allowed to use his own tent (argued City issued tent not sturdy enough to contain cats) – <i>granted.</i> 2. City provide portable charging station – <i>granted and installed.</i> 3. Maintain additional structure between platform and fence – <i>not granted, City provided two cat cages to be placed between platform</i> | February 14, 2022: Original Complaint filed February 22, 2022: Original complaint dismissed by the court with leave to amend March 8, 2022: Amended Complaint filed Summons served April 1, 2022 Answer due April 22, 2022 | 4/4/2022: ORDER. For the status conference in Case No. C-21-1143 EMC Sausalito/Marin County Chapter of the California Homeless Union v. City of Sausalito, to be held on 4/19/2022 at 2:30 p.m., the parties should be prepared to discuss how best to coordinate the related cases (currently numbering six) with the "main" case, No. C-21-1143 EMC. Signed by Judge Edward M. Chen on 4/4/2022. (This is a text-only entry generated by the court. There is no document associated with this entry.) (emclc2, COURT STAFF) (Filed on 4/4/2022) CMC July 19, 2022 2:30 pm |

¹ Note, this is a summary only, reference should be made the filings for additional details.

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| | | | <i>and fence, Deschamps allowed to cover with tarp to give cats an outdoor area so long as there is space between the cages and the fence and nothing connects to the fence. Deschamps was given 72 hours to remove the structure. Deschamps is not allowed to use the area behind his platform as storage space.</i> | | |
| 3 | <i>Kennedy v. Sausalito</i> US District Court, Northern District of California Case 3:22-cv-00902 | City of Sausalito | Alleged civil rights violations. Trailer towed from Marinship Parking Lot. Requested return of vehicle and cost of damages to roof. | February 14, 2022: Complaint filed February 17, 2002: Complaint dismissed by the court with leave to amend by March 17, 2022 No amended complaint was filed. | <i>Case dismissed.</i> |
| 4 | <i>Powelson v. Sausalito</i> US District Court, Northern District of California Case 3:22-cv-01809 9 th Circuit Court of Appeal 22-15455 | City of Sausalito, and in their Individual and Official Capacities Elliot Holt, Lieutenant Stacie Gregory, Detective Devin Rose, Mayor Janelle Kellman, Police Chief Rohrbacher, Corporal Brian Mather, Sergeant Brandon Rodgers, Beth Dilego, | Alleged civil rights violations. 1. Sought TRO to enjoin the City from impounding a vehicle registered to his father for outstanding parking tickets. Powelson repeatedly received citations for parking the vehicle on a private lot on Testa Street upon the request of the property owner, Carlito Berg. When the tow truck arrived Mr. Powelson refused to exit his vehicle so the tow was cancelled and Mr. Powelson was cited for obstruction of officer's duties. 2. Sought 2 nd TRO prohibiting the City (and others acting in concert with the City, including the City police) from harassing or threatening him when he is at the Marinship Park encampment. | March 22, 2022: Complaint filed March 25, 2022: Judge Chen denied the 1st request for a TRO and referred the matter to Judge Illman. March 28, 2022: Notice of appeal of denial of TRO filed with the 9th Circuit Court of Appeal April 15, 2022: Judge Chen denied 2 nd request for TRO and upheld the City's ability to limit access to the tennis court area to encampment members. | Trial Court: April 11, 2022 Settlement Conference 1:00 pm ORDER. For the status conference in Case No. C-21-1143 EMC Sausalito/Marin County Chapter of the California Homeless Union v. City of Sausalito, to be held on 4/19/2022 at 2:30 p.m., the parties should be prepared to discuss how best to coordinate the related cases (currently numbering six) with the "main" case, No. C-21-1143 EMC. Signed by Judge Edward M. Chen on 4/4/2022. (This is a text-only entry generated by the court. There is no document associated with this entry.) (emclc2, COURT STAFF) (Filed on 4/4/2022) |

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| | | Lillian Cerini-Ayer, Citation Processing Center, Does 1-10, Does 11-30 Inclusive | | | CMC July 19, 2022 2:30 pm 9th Circuit: May 31, 2022 Appellant's opening brief served and filed June 27, 2022 Appellees' answering brief served and filed |
| 5 | <i>Allen v. Sausalito</i> US District Court, Northern District of California 3:22-cv-01810-EMC | City of Sausalito | <p>Alleges civil rights violations.</p> <p>Ms. Allen's vehicle was towed from the Marinship Parking Lot due to 19 outstanding parking tickets. She is the former girlfriend of Mr. Deschamps and her mother, who is in a wheel chair, is a member of the encampment.</p> <p>She is asking the Court to tell the City to:</p> <ol style="list-style-type: none"> 1. Allow her access to her car to get her personal possessions. <i>This has occurred in accordance with Judge Orrick's ruling.</i> 2. Hire a locksmith to open the car at the tow yard (she alleges that she opens and starts the car with a screw driver but that at the tow yard they rolled up the windows and locked the car and won't let her in because she doesn't have a key) <i>City arranged for her to have access to her vehicle at the tow yard – in accordance with Judge Orrick's ruling.</i> 3. Release her car until there's an admin hearing on the parking tickets. 4. Allow her to camp at Marinship and anywhere in the City to shelter and be safe. | <p>March 22, 2022: Complaint filed</p> <p>March 28, 2022: preliminary hearing in front of Judge Orrick</p> | <p>4/4/2022: ORDER. For the status conference in Case No. C-21-1143 EMC Sausalito/Marin County Chapter of the California Homeless Union v. City of Sausalito, to be held on 4/19/2022 at 2:30 p.m., the parties should be prepared to discuss how best to coordinate the related cases (currently numbering six) with the "main" case, No. C-21-1143 EMC. Signed by Judge Edward M. Chen on 4/4/2022. (This is a text-only entry generated by the court. There is no document associated with this entry.) (emclc2, COURT STAFF) (Filed on 4/4/2022)</p> <p>April 12, 2022 Settlement Conference 1:00 pm\</p> <p>April 14, 2022 Order to Show Cause</p> <p>April 28, 2022 Allen's response on OSC due. If nothing filed Court shall "deem her motion for a TRO and a preliminary injunction moot."</p> |

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| | | | <p>5. Not impound her car in the future so long as it is her domicile until she has housing.</p> <p>6. Not prohibit her from rendering aid to her mother.</p> <p>7. Accommodate members of the encampment who leave for medical treatment, transient employment and other essential activities that require that they leave for extended periods of time.</p> <p>8. Appoint a special monitor to ensure the safety of campers at camp cormorant and “impose the court’s will on the City.”</p> | | |
| 6 | <p><i>Bruce v. Sausalito</i></p> <p>US District Court, Northern District of California</p> <p>3:22-cv-01995-EMC</p> | City of Sausalito | <p>Alleged civil rights violations.</p> <p>Mr. Bruce applied for and was issued a M Permit to parking in the Marinship Park Parking Lot. The permit was later revoked on the mistaken belief that M Permits are only issued to members of the encampment. City Council Resolution 6062 establishing the Marinship Park Parking Lot regulations provides that:</p> <ul style="list-style-type: none"> - Parking is limited to 3 hours between 6:00 am and 2:00 am - No parking between 2:00 am and 6:00 am w/o a valid parking permit - Vehicles with a valid parking permit can park in the lot 24 hours/day. - Cost of parking permit is \$10/quarter <p>The parking permit application that was presented to the Council on July 27, 2021 specifically states that “There are no restrictions on eligibility,</p> | <p>March 29, 2022: Complaint filed</p> <p>April 7, 2022: Judge Chen granted TRO City to issue M-Permit and allow Mr. Bruce to sleep in his vehicle in the parking lot</p> | <p>4/22/2022: ORDER. For the status conference in Case No. C-21-1143 EMC Sausalito/Marin County Chapter of the California Homeless Union v. City of Sausalito, to be held on 4/19/2022 at 2:30 p.m., the parties should be prepared to discuss how best to coordinate the related cases (currently numbering six) with the "main" case, No. C-21-1143 EMC. Signed by Judge Edward M. Chen on 4/4/2022. (This is a text-only entry generated by the court. There is no document associated with this entry.) (emclc2, COURT STAFF) (Filed on 4/4/2022)</p> <p>April 12, 2022 Settlement Conference 12:00 pm</p> <p>May 5, 2022 Hearing on Motion for Preliminary Injunction</p> <ul style="list-style-type: none"> - Responses due April 21, 2022 - Replies due April 28, 2022 |

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| | | | <p>anyone may apply for a Marinship Parking Permit.”</p> <p>Mr. Bruce requests that he be allowed to park at the Marinship Park Parking Lot between 2am and 6am so that he can utilize the restroom.</p> <p>It is believed that Mr. Bruce resides on a vessel in RBRA waters in Richardson’s Bay.</p> <p><i>City proposed relief:</i> City issue a parking permit to Mr. Bruce upon payment of the \$10 fee. However, Mr. Bruce will not be allowed to sleep in his car in the parking lot.</p> | | |
| 7 | <p><i>McGann v. Sausalito</i></p> <p>US District Court, Northern District of California</p> <p>3:22-cv-02042-TSH</p> | <p>City of Sausalito</p> <p>Stacey Gregory</p> <p>Chris Zapata</p> <p>Does 1-100 inclusive</p> | <p>Alleged civil rights violations.</p> <p>Requesting that he be allowed to camp at Marinship Park.</p> <p>Has been placed in housing.</p> | <p>March 30, 2022: Complaint filed</p> <p>March 31, 2022: Case referred to Judge Chen to determine if related to <i>Deschamps</i> Case No. 3:33-cv-00928</p> <p>April 15, 2022: Order denying TRO w/o prejudice and an Order to Show Cause</p> | <p>May 2, 2022 McGann’s response on OSC due. If nothing filed Court shall “automatically instruct the Clerk of the Court to enter a final judgment and close the file in this case.”</p> |
| 8 | <p><i>Moffit v. City of Sausalito, et al.</i></p> <p><i>Case No. 3:22-cv-02098-HSG</i></p> <p>US District Court, Northern District of California</p> <p>(Related to 21-cv-01143)</p> | <p>City of Sausalito</p> <p>John Rohrbacher</p> <p>Chris Zapata</p> | <p>Alleged civil rights violations.</p> <p>Requesting that she be allowed to park and camp at Marinship Park.</p> | <p>April 1, 2022: Original Complaint filed</p> <p>April 4, 2022: Order relating case to 21-cv-01143</p> <p>April 14, 2022: Order on TRO memorializing settlement conference w/ Judge Illman – granting M-Permit and allowing Ms. Moffit to sleep in her car</p> | <p>CMC July 19, 2022 2:30 pm</p> <p>April 12, 2022 Settlement Conference 2:00 pm</p> <p>April 19, 2021: City file declaration that Ms. Moffit will be issued a M-Permit and won’t preclude her from sleeping in her vehicle</p> <p>May 5, 2022 Hearing on Motion for Preliminary Injunction</p> <ul style="list-style-type: none"> - Responses due April 21, 2022 - Replies due April 28, 2022 |